THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE G.BHAVANI PRASAD

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WRIT PETITION NO.8025 of 2007

4th June 2007

Between:

1. C.Balasubramanyam, S/o.Sri Chandrasekharan, 46 years, Business, r/o.Plot No.109, Road No.9, Trimurthy Colony, Mahendra Hills, Secunderabad.

And one other.

...PETITIONERS

AND

1. Dr.Vojjala Soresh Kumar, S/o,V.Lakshmikantham, 43 years,Medical Practitioner, R/o.5-5-23, Khaleelwadi, Nizamabad.

And 11 others.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE G.BHAVANI PRASAD

WRIT PETITION NO.8025 of 2007

ORDER: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard the learned counsel for the petitioners.

The only ground urged in this Writ Petition is that the application filed before the Special Court under A.P.Land Grabbing (Prohibition) Act, 1982, Hyderabad was dismissed. The said application was dismissed having regard to the principles laid down by this Court and since no *prima facie* case is made out.

Though several contentions were urged on behalf of the petitioners, the fact remains that the petitioners filed a detailed counter affidavit raising all the pleas and objections with regard to the maintainability etc., and that no similar Writ Petition has been filed with regard to the preliminary issue. This Court would not invoke the powers under extraordinary jurisdiction to straight away consider all such questions.

Accordingly, the Writ Petition is dismissed with liberty to the petitioners to move fresh application before the Court below raising all such pleas, which will be dealt with as preliminary issue or otherwise.

No costs.

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(B.PRAKASH RAO, J)

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(G.BHAVANI PRASAD, J)

4th June 2007
RRB

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